

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MORLON DEWAYNE SHEARER,)
)
)
vs.) CV 03-B-8027-S
)
) CR 02-B-83-S
UNITED STATES OF AMERICA)

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on November 29, 2005 recommending that the motion to vacate be denied. On January 6, 2006 and February 1, 2006 Shearer's motions for extension of time to file objections were granted until March 1, 2006. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the motion to vacate is due to be DENIED. A Final Judgment will be entered separately.

Done this 24th day of March, 2006.

Sharon Lovelace Blackburn
SHARON LOVELACE BLACKBURN
UNITED STATES DISTRICT JUDGE